IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 9TH OCTOBER 2007 / 17TH ASWINA 1929

Bail Appl..No. 6126 of 2007()

(CRIME NO.694 OF 2007 OF ADOOR POLICE STATION)

PETITIONERS/ACCUSED (IN CUSTODY):

1. **NAHAS @ SHIBU,**
   S/O.HASSANKUTTY, KARINGALIKANDATHIL VEEDU,
   KADAKKADU MURI, PANDALAM VILLAGE.

2. **HAKKIMSHA,**
   S/O.SALI, THARAYIL VEEDU (RENTED HOUSE),
   MANAKKALA (FROM, LEBBAVILLA VEEDU),
   KANNAMKODE MURI, ADOOR.

BY ADV. SRI.D.AJITHKUMAR

RESPONDENTS: COMPLAINANT:

1. **STATE OF KERALA,**
   REPRESENTED BY PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA, ERNAKULAM.

2. **STATION HOUSE OFFICER,**
   ADOOR.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/10/2007 ALONG WITH B.A.NO.6134 OF 2007 AND CONNECTED CASES, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

KSS

R. BASANT, J.

B.A. Nos.6126, 6134, 6137, 6138, 6171, 6172, 6183, 6190 & 6193 OF 2007

Dated this the 9th day of October, 2007

ORDER

These applications are for regular bail. The petitioners had allegedly committed the offences punishable, inter alia, under Secs.379 and 392 of the IPC. The petitioners were arrested and remain in custody from 19/8/07. Investigation is in progress. In three crimes i.e., B.A.Nos.6138, 6171 and 6193/07, final report has already been filed, submits the learned Public Prosecutor. Considering the antecedents of the petitioners and the nature of the offences alleged against them, the petitioners may not be enlarged on bail at this stage, Investigator may be given further time to complete the investigation, submits the learned Public Prosecutor.

2. I find merit in the opposition by the learned Public Prosecutor. I am satisfied that the petitioners are not entitled

to be enlarged on bail now also. Earlier applications filed by the petitioners were dismissed by a common order dated 18/9/2007 in B.A.No.5585/07 and connected applications. I find merit in the opposition by the learned Public Prosecutor even now. I am, in these circumstances, satisfied that the petitioners are not entitled to be enlarged on bail.

3. These bail applications are, in these circumstances, dismissed. I may hasten to observe that the petitioners shall be at liberty to move this Court for bail again at a later stage of the investigation – not, at any rate, prior to 23/10/07. The Investigator shall, in the meantime, make every endeavour to complete the investigation. I may further observe that this direction shall not in any way fetter the rights of the petitioners to seek bail by default under the proviso to Sec.167(2) of the Cr.P.C. if they are entitled for such bail in any of the crimes concerned.

Sd/-

(R. BASANT, JUDGE)

Nan/

//true copy// P.S. to Judge